

DETENTION ORDER - Page 2

- ☐ The defendant has a history relating to drug abuse.
- ☐ The defendant has a history relating to alcohol abuse.
- ☐ The defendant has a significant prior criminal record.
- ☐ The defendant has a prior record of failure to appear at court proceedings.

(b) At the time of the current arrest, the defendant was on:

- ☐ Probation
- ☐ Parole
- ☐ Supervised Release
- ☐ Release pending trial, sentence, appeal or completion of sentence.

(c) Other Factors:

- ☒ The defendant is an illegal alien and is subject to deportation.
- ☐ The defendant is a legal alien and will be subject to deportation if convicted.
- ☒ The Bureau of Immigration and Customs Enforcement (BICE) has placed a detainer with the U.S. Marshal.
- ☐ Other: _____

☒ (4) The nature and seriousness of the danger posed by the defendant's release are as follows:

Two prior voluntary returns to Mexico (1998 - 2005)

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 10th day of April, 2012.

BY THE COURT:

s/ F. A. Gossett
United States Magistrate Judge